

## **DECLARATION OF DEA SPECIAL AGENT HAROLD W. JORDAN**

I, Harold W. Jordan, Special Agent, Drug Enforcement Administration, US Department of Justice, assigned to the Wilmington, North Carolina Resident Office, declare and state as follows:

I am a duly appointed Special Agent of the DEA, having been so employed since August of 1991. Prior to my appointment with the DEA, I was employed for five years as a law enforcement officer with the City of Durham, North Carolina. I hold a B.A. degree in Criminal Justice. I have received specialized training in drug enforcement techniques while attending fourteen weeks of Basic Agent Training at the Drug Enforcement Administration Academy located in Quantico, Virginia. Following my graduation from Basic Agent Training, I have periodically received in-service training in the investigation of narcotics-related crimes. I have participated in investigations involving violations of state, federal and foreign narcotics laws. I have obtained convictions for the possession, sale, smuggling, and use of controlled substances. I have conducted surveillance, worked undercover, arrested suspects, executed search warrants, seized evidence, and assisted in the preparation of cases for trial, where I have testified as an expert witness.

I have reviewed official reports provided by the New Hanover County Sheriff's Office in preparing this Declaration. I believe the information set forth supports the seizure and forfeiture of the property described as a 2008, Dodge Charger seized in New Hanover County, North Carolina. The property was seized from Robert Evan Jerabek Jr. subsequent to his arrest on North Carolina state controlled substance violations.

## **PROBABLE CAUSE**

On March 13, 2012, the New Hanover County Sheriff's Office received information from the Onslow County Sheriff's Office narcotics unit regarding a resident of New Hanover County named Robert Evan Jerabek Jr. who was reported to be selling large quantities of marijuana. It was believed that Jerabek was also growing marijuana at his residence located at 2626 Sapling Circle, near Gordon Road in Wilmington, N.C. Detective A.C. Green began investigating Jerabek's activities.

On March 28, 2012, Detective A.C. Green was granted a North Carolina state search warrant. Deputies and detectives then executed the search warrant at Jerabek's residence. Detective Green approached the residence and found Jerabek's girlfriend, Anna Carignan in the residence along with her infant child. Detective Green told Carignan of they had a search warrant and began the search of the residence.

Detectives immediately noticed a strong odor of marijuana inside the residence. A search of the master bedroom revealed glass jars of marijuana and hashish. Inside an adjoining bathroom, detectives located freshly harvested marijuana drying on hangers in the shower. Also in the bathroom were fans and dehumidifiers to aid in drying the marijuana.

A search of the master bedroom closet revealed a ladder leading to the attic. In the attic,

detectives located three small rooms that were newly constructed and were being used to grow marijuana. Detectives located 65 marijuana plants, high intensity grow lights, and air filter systems. Detectives seized an additional 258.2 grams of marijuana and 30.6 grams of hashish on the main floor of the residence.

When asked about the marijuana, Carignan stated she had smoked marijuana just prior to detective's arrival. Carignan further stated she had seen Jerabek grow marijuana several times, and she had seen Jerabek trim 6-7 plants earlier in the week. Carignan further stated Jerabek never sold marijuana when she was around.

Detectives located a black 2008, Dodge Charger (2B3KA43G38H286411) in the driveway. Detectives accessed the North Carolina Department of Motor Vehicles data base which revealed the vehicle was registered to Jerabek at the residence. A search of the vehicle revealed marijuana residue on the floorboards and between the seats. Detectives also located a marijuana "Blunt" cigarette in the center console of the vehicle.

Jerabek arrived at the residence and agreed to speak with Detective Green. Jerabek claimed the grow operation was his, and that Carignan had no part in the grow operation. Jerabek stated he had been growing marijuana for two (2) years and had one (1) client located in Onslow County, North Carolina. Jerabek did not identify his customer. Jerabek stated he had transported equipment and supplies for his marijuana grow operation in the Dodge Charger. Jerabek also admitted smoking marijuana in the vehicle.

Jerabek was arrested and charged with Possession with Intent to Sell and Deliver Marijuana, Manufacture a Schedule VI, Maintaining a Dwelling, Felony Possession of a Schedule VI, and Possession of Drug Paraphernalia. Detectives issued Carignan a citation for Possession of Marijuana and Possession of Drug Paraphernalia. Carignan was released the same day and was not arrested.

Jerabek indicated he wished to cooperate with detectives in an attempt to mitigate his charges. Jerabek was unsuccessful due to his unwillingness to tell the truth about his drug dealings.

A sheriff's office canine was used to conduct a free air examination of the 2008 Charger. Canine "Motza" handled by Deputy Carey alerted to the presence of a controlled substance odor. The vehicle was seized due to its use in facilitating a controlled substance crime.

### **CONCLUSION**

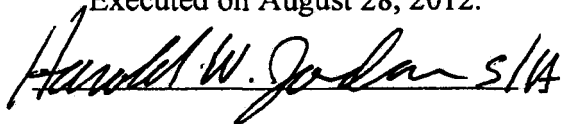
For all of the foregoing reasons, I believe that probable cause exists to conclude that the property described as a 2008, Dodge Charger (2B3KA43G38H286411) was used in a manner to commit and to facilitate the commission of a violation the Controlled Substances Act, and that

Jerabek profited from the violation, and had in his possession the above referenced vehicle. The vehicle, if not seized, was to be utilized to facilitate Jerabek's controlled substance trafficking activities. The property, therefore is, forfeitable under Title 21 USC 881 (a) (4).

**DECLARATION**

I, Harold W. Jordan, declare under penalty of perjury, that the foregoing is true and correct, in accordance with 28 U.S.C. § 1746.

Executed on August 28, 2012.

A handwritten signature in cursive script that reads "Harold W. Jordan S/A". The signature is written in dark ink and is positioned above the printed name.

HAROLD W. JORDAN S/A

U.S. Drug Enforcement Administration

Wilmington, N.C. Resident Office